

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**IP INNOVATION L.L.C. and TECHNOLOGY  
LICENSING CORPORATION,**

**Plaintiffs/Counterclaim  
Defendants,**

**V.**

**RED HAT, INC. and NOVELL, INC.,**

**Defendants.**

**Civil Action No. 2:07-cv-00447 (RRR)**  
**Jury Trial Demanded**

**PLAINTIFFS' SUBMISSION OF TRIAL EXHIBITS ADMITTED APRIL 28, 2010**

Pursuant to the Court's April 23, 2010 Order (D.I. 204) regarding exhibits, Plaintiffs hereby submit the following identification of trial exhibits offered by Plaintiffs and admitted April 28, 2010.

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| <p><b>Presiding Judge:</b></p> <p><b>RANDALL R. RADER</b></p> | <p><b>Plaintiffs' Attorneys:</b></p> <p>Paul K. Vickrey<br/>         Arthur A. Gasey<br/>         Paul C. Gibbons<br/>         Joseph A Culig<br/>         NIRO, HALLER &amp; NIRO<br/>         181 West Madison, Suite 4600<br/>         Chicago, Illinois 60602<br/>         Telephone: (312) 236-0733<br/>         Facsimile: (312) 236-3137<br/>         vickrey@nshn.com<br/>         gasey@nshn.com<br/>         gibbons@nshn.com<br/>         jculig@nshn.com</p> | <p><b>Defendants' Attorneys:</b></p> <p>Mark Nolan Reiter<br/>         Amy Elizabeth LaValle<br/>         GIBSON, DUNN &amp; CRUTCHER LLP<br/>         2100 McKinney Avenue, Suite 1100<br/>         Dallas, Texas 75201<br/>         Telephone: (214) 698-3100<br/>         Facsimile: (214) 571-2900<br/>         mreiter@gibsondunn.com<br/>         alavalle@gibsondunn.com</p> <p>Josh A. Krevitt<br/>         GIBSON, DUNN &amp; CRUTCHER LLP<br/>         200 Park Avenue, 47th Floor<br/>         New York, New York 10166<br/>         Telephone: (212) 351-4000<br/>         Facsimile: (212) 351-4035<br/>         jkrevitt@gibsondunn.com</p> |
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| <b>Presiding Judge:</b>                                | <b>Plaintiffs' Attorneys:</b><br><br>Jack Wesley Hill<br>WARD & SMITH LAW FIRM<br>111 W. Tyler Street<br>Longview, Texas 75601<br>Telephone: (903) 757-6400<br>Facsimile: (903) 757-2323<br>wh@jwfirm.com | <b>Defendants' Attorneys:</b><br><br>Hervey Mark Lyon<br>GIBSON, DUNN & CRUTCHER LLP<br>1881 Page Mill Road<br>Palo Alto, California 94303<br>Telephone: (650) 849-5300<br>Facsimile: (650) 849-5333<br>mlyon@gibsondunn.com<br><br>Neema Jalali<br>GIBSON, DUNN & CRUTCHER LLP<br>555 Mission Street, Suite 3000<br>San Francisco, California 94105<br>Telephone: (415) 393-8258<br>Facsimile: (415) 374-8409<br>njalali@gibsondunn.com |
| <b>Trial/Hearing Date(s):</b><br><br>April 26-29, 2010 | <b>Court Reporter:</b><br><br>Donna Collins<br>Glenda Fuller  | <b>Courtroom Deputy:</b><br><br>Sonja Dupree   |

Plaintiffs hereby submit their list of exhibits that may be used at trial. Plaintiffs reserve the right to modify this list to add or eliminate exhibits, as needed, such as if the defendants move to reconsider or add issues previously eliminated from the case. Furthermore, Plaintiffs note that by including certain items on this list, such items may not in fact be admissible, or may only be admissible for a limited purpose and reserve the right to object to the Defendants' use of any document listed on this exhibit list. Also this exhibit list does not include demonstrative exhibits, which will instead be exchanged or otherwise made available to Defendants the evening before they are used at trial. Plaintiffs also reserve the right to use exhibits not included on this list, as may be necessary for rebuttal, without prior notice to Defendants.

| Plaintiffs'<br>Ex. No. | Document Description   | Bates No./ Dep. Exh.<br>No./ Docket Index No.         | Category** | Marked | Offered | Objection | Admitted | Date                         | Witness                                   |
|------------------------|--|---|------------|--------|---------|-----------|----------|------------------------------|---|
| PX 1                   | US Patent No. 5,072,412 and Ribbon Copy  | D.I. 1, Exh. A  | A          |        | X       |           | X        | 4/26<br>4/27<br>4/28<br>4/28 | Henderson<br>Zimmerman<br>Card<br>Maxwell |
| PX 2                   | US Patent No. 5,394,521 and Ribbon Copy  | D.I. 1, Exh. C  | A          |        | X       |           | X        | 4/26<br>4/27                 | Henderson<br>Zimmerman                    |
| PX 3                   | US Patent No.5,533,183 and Ribbon Copy   | D.I. 1, Exh. B  | A          |        | X       |           | X        | 4/26<br>4/27                 | Henderson<br>Zimmerman                    |
| PX 4                   | File Wrapper for US Patent 5,072,412   | TLC002500-<br>TLC002961                               | B          |        | X       |           | X        | 4/26<br>4/27                 | Henderson<br>Zimmerman                    |
| PX 5                   | File Wrapper for US Patent 5,394,521   | TLC002962-<br>TLC003241                               | B          |        | X       |           | X        | 4/26<br>4/27                 | Henderson<br>Zimmerman                    |
| PX 6                   | File Wrapper for US Patent 5,533,183   | TLC003242-<br>TLC003507                               | B          |        | X       |           | X        | 4/26<br>4/27                 | Henderson<br>Zimmerman                    |
| PX 7                   | License Agreement between Xerox Corporation, IP Innovation, LLC and Technology Licensing Corporation effective 11/15/2004, Signed 01/10/2005   | TLC018553-<br>TLC018561; Haynes 3<br>(Also Cooper 11) | A          |        | X       |           | X        | 4/26                         | Cooper                                    |
| PX 8                   | Patent Assignment Agreement between Palo Alto Research Center, Inc. (PARC), IP Innovation, LLC and Technology Licensing Corporation effective 11/15/2004, Signed 01/10/2005              | TLC018563-<br>TLC018576; Haynes 4<br>(Also Cooper 12) | A          |        | X       |           | X        | 4/26                         | Cooper                                    |
| PX 9                   | Amendment to Patent Assignment Agreement between Palo Alto Research Center, Inc. (PARC), IP Innovation, LLC and Technology Licensing Corporation effective 11/15/2004, Signed 04/19/2007 | TLC018578-<br>TLC018582; Haynes 5<br>(Also Cooper 13) | A          |        |         |           |          |                              |   |
| PX 10                  | Assignment of U.S. Patent 5,072,412 from Xerox to IP Innovation, LLC and Technology Licensing Corporation effective 11/15/2004, Signed 12/06/2004  | TLC021877; Haynes 6<br>(Also Cooper 14)               | B          |        | X       |           | X        | 4/26<br>4/27                 | Cooper<br>Steinman                        |
| PX 11                  | Assignment of U.S. Patent 5,394,521 from Xerox to IP Innovation, LLC and Technology Licensing Corporation effective 11/15/2004, Signed 12/06/2004  | TLC021880; Haynes 7<br>(Also Cooper 15)               | B          |        | X       |           | X        | 4/26                         | Cooper                                    |

\*\* Categories: (A) - Will Use; (B) - May Use; (C) Probably Won't Use

PLAINTIFFS' SUBMISSION OF TRIAL EXHIBITS ADMITTED APRIL 28, 2010 - PAGE 3

| Plaintiffs'<br>Ex. No. | Document Description   | Bates No./ Dep. Exh.<br>No./ Docket Index No. | Category** | Marked | Offered | Objection | Admitted | Date | Witness |
|------------------------|--|---|------------|--------|---------|-----------|----------|------|---------|
| PX 12                  | Assignment of U.S. Patent 5,533,183 from Xerox to IP Innovation, LLC and Technology Licensing Corporation effective 11/15/2004, Signed 12/06/2004                                  | TLC021873; Haynes 8 (Also Cooper 16)          | B          |        | X       |           | X        | 4/26 | Cooper  |
| PX 13                  | Complaint for Patent Infringement with attachments - 150 pages - 10/09/2007  | D.I. 1  | B          |        |         |           |          |      |         |
| PX 14                  | Defendant/Counterclaim Plaintiff Novell, Inc.'s Answer, Defenses, and Counterclaims to Plaintiffs' Complaint for Patent Infringement - 10 pages - 02/01/2008                       | D.I. 26                                       | B          |        |         |           |          |      |         |
| PX 15                  | Defendant/Counterclaim Plaintiff Red Hat, Inc.'s Answer, Defenses, and Counterclaims to Plaintiffs' Complaint for Patent Infringement - 10 pages - 02/01/2008                      | D.I. 27                                       | B          |        |         |           |          |      |         |
| PX 16                  | Plaintiffs' Reply to Novell, Inc.'s Counterclaims To Complaint - 6 pages - 02/11/2008  | D.I. 29                                       | B          |        |         |           |          |      |         |
| PX 17                  | Plaintiffs' Reply to Red Hat, Inc.'s Counterclaims To Complaint - 6 pages - 02/11/2008   | D.I. 30                                       | B          |        |         |           |          |      |         |
| PX 18                  | Defendant/Counterclaim Plaintiff Red Hat, Inc.'s Amended Answer, Defenses, and Counterclaims to Plaintiffs' Complaint for Patent Infringement - 14 pages - 03/06/2009              | D.I. 62                                       | B          |        |         |           |          |      |         |
| PX 19                  | Defendant/Counterclaim Plaintiff Novell, Inc.'s Amended Answer, Defenses, and Counterclaims to Plaintiffs' Complaint for Patent Infringement - 14 pages - 03/06/2009               | D.I. 63                                       | B          |        |         |           |          |      |         |
| PX 20                  | Plaintiffs' Reply to Novell, Inc.'s Amended Answer, Defenses and Counterclaims - 14 pages - 04/09/2009   | D.I. 68                                       | B          |        |         |           |          |      |         |
| PX 21                  | Plaintiffs' Reply to Red Hat, Inc.'s Amended Answer, Defenses and Counterclaims - 11 pages - 04/09/2009  | D.I. 69                                       | B          |        |         |           |          |      |         |
| PX 22                  | IP Innovation L.L.C.'s and Technology Licensing Corporation's Responses to Red Hat, Inc. and Novell, Inc.'s First Set of Common Interrogatories (Nos. 1-6) - 15 pages - 05/05/2009 |   | C          |        |         |           |          |      |         |

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| Plaintiffs'<br>Ex. No. | Document Description  | Bates No./ Dep. Exh.<br>No./ Docket Index No.       | Category** | Marked | Offered | Objection | Admitted | Date | Witness   |
|------------------------|---|---|------------|--------|---------|-----------|----------|------|-----------|
| PX 23                  | Novell, Inc.'s Responses and Objections to Technology Licensing Corporation's First Set of Interrogatories (Nos. 1-15) - 27 pages - 05/13/2009                                      |   | B          |        |         |           |          |      |           |
| PX 24                  | Red Hat, Inc.'s Responses and Objections to Technology Licensing Corporation's First Set of Interrogatories (Nos. 1-15) - 24 pages - 05/13/2009                                     |   | B          |        |         |           |          |      |           |
| PX 25                  | IP Innovation L.L.C's and Technology Licensing Corporation's Responses to Red Hat, Inc. and Novell, Inc.'s Second Set of Common Interrogatories (Nos. 7-25) - 31 pages - 09/16/2009 |   | C          |        |         |           |          |      |           |
| PX 26                  | Red Hat, Inc.'s First Amended and Supplemental Responses and Objections to Technology Licensing Corporation's First Set of Interrogatories (Nos. 1-15) - 25 pages - 10/09/2009      |   | B          |        |         |           |          |      |           |
| PX 27                  | Novell, Inc.'s First Amended and Supplemental Responses and Objections to Technology Licensing Corporation's First Set of Interrogatories (Nos. 1-15) - 27 pages - 10/09/2009       |   | B          |        |         |           |          |      |           |
| PX 28                  | Plaintiff's Initial Patent Disclosures with attachments - 2389 pages - 10/06/2008   |   | C          |        |         |           |          |      |           |
| PX 29                  | Plaintiffs' First Supplemental Infringement Contentions with attachments - 915 pages - 05/29/2009   |   | B          |        |         |           |          |      |           |
| PX 30                  | Plaintiffs' Second Supplemental Infringement Contentions with attachments - 1098 pages - 07/02/2009   |   | A          |        |         |           |          |      |           |
| PX 31                  | Plaintiffs' Amended Infringement Contentions with attachments - 929 pages - 09/09/2009  |   | B          |        |         |           |          |      |           |
| PX 32                  | Rule 26(a)(2)(B) Confidential Expert Report of Dr. Myron Zimmerman with attachments - 61 pages - 10/14/2009   | (Also Zimmerman 1 - which had different pagination) | B          |        |         |           |          |      |           |
| PX 32A                 | Exhibit A (CV) to Rule 26(a)(2)(B) Confidential Expert Report of Dr. Myron Zimmerman served 10/14/2009 - 5 pages  |   | B          |        | X       |           | X        | 4/27 | Zimmerman |
| PX 32B                 | Exhibit B (Documents Reviewed) to Rule 26(a)(2)(B) Confidential Expert Report of Dr. Myron Zimmerman served 10/14/2009 - 3 pages  |   | B          |        | X       |           | X        | 4/27 | Zimmerman |

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| Plaintiffs'<br>Ex. No. | Document Description   | Bates No./ Dep. Exh.<br>No./ Docket Index No.                                  | Category** | Marked | Offered | Objection | Admitted | Date         | Witness       |
|------------------------|--|--|------------|--------|---------|-----------|----------|--------------|---------------|
| PX 33                  | Expert Witness Report of Joseph Gemini Pursuant to Rule 26(a)(2)(B) with attachments - 43 pages - 10/14/2009   |  | B          |        |         |           |          |              |               |
| PX 34                  | Rebuttal Report of Dr. Myron Zimmerman to Defendants' Wilson Invalidity Report with attachments - 26 pages - 11/04/2009  | (Also Zimmerman 2)   | B          |        |         |           |          |              |               |
| PX 35                  | Supplemental Expert Witness Report of Joseph Gemini Pursuant to Rule 26(a)(2)(B) with attachments - 12 pages - 01/12/2010  |  | B          |        | X       |           | X        | 4/28         | Gemini        |
| PX 36                  | Spreadsheet listing: Product Context, Product Attribute, Product Value, Product Description, UOM, Primary UOM, Line Type, Price Break Type, Application Method, Value, Dynamic Formula, Static Formula, Start Date, End Date, and Precedence | NV0000849-<br>NV0000860; Agarwal 2<br>(Also used at Rex Dep.)                  | C          |        |         |           |          |              |               |
| PX 37                  | Spreadsheet listing: Product Context, Product Attribute, Product Value, Product Description, UOM, Primary UOM, Line Type, Price Break Type, Application Method, Value, Dynamic Formula, Static Formula, Start Date, End Date, and Precedence | NV0000861-<br>NV0000872; Agarwal 3<br>(Also used at Rex Dep.)                  | C          |        |         |           |          |              |               |
| PX 38                  | Novell, Inc. Unaudited Trended Segment Revenue by Software Licenses and Maintenance and Services Updated for Services Reporting Chance - Q1, Q2, Q3, Q4 and FY 2006 and 2007; Q1 2008  | NV0000848; Agarwal 4<br>(Also Gemini 18)                                       | B          |        | X       |           | X        | 4/27         | Agarwal       |
| PX 39                  | Novell, Inc. Form 10-K - year ended 10/31/2007 - 12/21/2007  | NV0000664-<br>NV0000794; Agarwal 5   | B          |        | X       |           | X        | 4/27         | Agarwal       |
| PX 40                  | Spreadsheets listing: Sum of SUM(I.INV_AMT_USD), REVRPT.REV_DATES.GET_FY(1.TRX_; PL_CD, PL_CD_DESC, GEO1_RPT, REVRPT.REV_DATES.GET_QTR_DESC(,REVRPT.REV_DATES.GET_FY(1.TRX_, SUM(I.INV_AMT_USD)  | NV0000795-<br>NV0000803; Agarwal 6<br>(Also Gemini 19) (Also used at Rex Dep.) | B          |        | X       |           | X        | 4/27         | Rex           |
| PX 41                  | Infringement of Henderson US Patent # 5,533,183 Claims 1 & 3 by Fedroa 7-9 - 43 pages  | Clasen 10  | B          |        | X       | X         |          | 4/27         | Clasen        |
| PX 42                  | Source Code - workspace.c - 6 pages  | Clasen 11 (Also used at Rex Dep.)  | A          |        | X       |           | X        | 4/27<br>4/27 | Clasen<br>Rex |
| PX 43                  | Source Code - workspace-switcher.c - 16 pages  | Clasen 12 (Also used at Rex Dep.)  | A          |        | X       |           | X        | 4/27         | Clasen        |

\*\* Categories: (A) - Will Use; (B) - May Use; (C) Probably Won't Use

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| Plaintiffs'<br>Ex. No. | Document Description   | Bates No./ Dep. Exh.<br>No./ Docket Index No.         | Category** | Marked | Offered | Objection | Admitted | Date | Witness |
|------------------------|--|---|------------|--------|---------|-----------|----------|------|---------|
| PX 44                  | Source Code - panel-logout.c - 7 pages   | Clasen 13 (Also used at Rex Dep.)                     | B          |        | X       |           | X        | 4/27 | Clasen  |
| PX 45                  | US Patent 7,552,293 B2 - Van Riel et al. - 10 pages - 06/23/2009   | Clasen 15   | C          |        |         |           |          |      |         |
| PX 46                  | US Patent Application 2009/0228675 A1 - van Riel et al. - 11 pages - 09/10/2009  | Clasen 16   | C          |        |         |           |          |      |         |
| PX 47                  | <a href="http://www.redhat.com/about/presscenter/2005/press_rhel4.html">http://www.redhat.com/about/presscenter/2005/press_rhel4.html</a> - Red Hat Launches Red Hat Enterprise Linux 4 - Printed 11/09/2009 - 5 pages - 02/15/2005  | Gemini 6  | B          |        |         |           |          |      |         |
| PX 48                  | Red Hat Enterprise Linux 5 Desktop details   | RH0014488-<br>RH0014493; Gemini 7                     | B          |        |         |           |          |      |         |
| PX 49                  | Spreadsheet listing North America, Currency: USD, Prod., Dec 2008, Mar-Nov 2008, Dec 2007-Feb 2008, Nov 2007, Oct 2007, Totals   | RH0000798-<br>RH0000805; Gemini 8<br>(Also Stone 48)  | B          |        |         |           |          |      |         |
| PX 50                  | License Agreement between Xerox and Hewlett-Packard - 10/17/1994 - Signed 10/18/1994   | XP 002705-XP<br>002716; Gemini 11                     | A          |        | X       |           | X        | 4/27 | Gemini  |
| PX 51                  | Published on <a href="http://www.novell.com/communities">http://www.novell.com/communities</a> - Xgl on SUSE 10.1 for Gnome and KDE with NVidia Graphics Cards by Scott Morris - 13 pages - 04/19/2006   | Gemini 16 (Also Rex 3)                                | B          |        |         |           |          |      |         |
| PX 52                  | Settlement and License Agreement between Apple, IP Innovation LLC and Technology Licensing Corporation effective 06/08/2007, Signed 07/09/2007   | TLC018525-<br>TLC018533; Haynes 9<br>(Also Cooper 17) | C          |        | X       |           | X        | 4/27 | Gemini  |
| PX 53                  | <a href="http://www.novell.com/products/linuxpackages/server10/ppc/fast-user-switch-applet.html">http://www.novell.com/products/linuxpackages/server10/ppc/fast-user-switch-applet.html</a> - SUSE Linux Enterprise Desktop 10 for x86 Service Pack - Printed 09/22/2009 - 1 page - © 2009 | Rex 2   | B          |        |         |           |          |      |         |
| PX 54                  | Published on <a href="http://www.novell.com/communities">http://www.novell.com/communities</a> - Xgl on SUSE 10.1 for Gnome and KDE with NVidia Graphics Cards by Scott Morris - 13 pages - 04/19/2006   | Rex 3   | B          |        | X       |           | X        | 4/27 | Rex     |
| PX 55                  | Novell Reviewers Guide - SUSE Linux Enterprise Desktop 10 - 20 pages - 06/2006   | Rex 5   | B          |        | X       |           | X        | 4/27 | Rex     |

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| Plaintiffs'<br>Ex. No. | Document Description   | Bates No./ Dep. Exh.<br>No./ Docket Index No. | Category** | Marked | Offered | Objection | Admitted | Date | Witness |
|------------------------|--|---|------------|--------|---------|-----------|----------|------|---------|
| PX 56                  | Infringement of Henderson US Patent # 5,072,412 Claims 1, 8-10, 19, 21, 24, 38, 44, 49, 52, 56 & 59 by Novell SUSE Linux Enterprise Desktop 10, 10 SP1, 10 SP2, and 11 - 133 pages   | Rex 7   | B          |        |         |           |          |      |         |
| PX 57                  | Infringement of Henderson US Patent # 5,072,412 Claims 1 & 24 by Novell openSUSE 10.2, 10.3, and 11.0 - 36 pages   | Rex 8   | B          |        |         |           |          |      |         |
| PX 58                  | Infringement of Henderson US Patent # 5,533,183 Claims 1, 3 & 12 by Novell SUSE Linux Enterprise Server 10, 10 SP1, 10 SP2, and 11 - 57 pages  | Rex 9   | B          |        |         |           |          |      |         |
| PX 59                  | Letter from Niro, Scavone, Haller and Niro to Joe LaSala of Novell, Inc. - 10/08/2007  | TLC018517-<br>TLC018520; Rex 12               | C          |        |         |           |          |      |         |
| PX 60                  | Novell, Inc. Form 10-K - year ended 10/31/2008 - 125 pages - 12/23/2008  | Rex 13  | B          |        |         |           |          |      |         |
| PX 61                  | PowerPoint presentation: Red Hat Enterprise Linux 5 Technology Overview - 03/23/2007   | RH0001236-<br>RH0001290; Riveros 17           | B          |        |         |           |          |      |         |
| PX 62                  | PowerPoint presentation: Red Hat Enterprise Linux 4 Linux World - 02/2005  | RH0001137-<br>RH0001158; Riveros 18           | B          |        |         |           |          |      |         |
| PX 63                  | See Who Relies On Red Hat. - 21 pages  | Riveros 19                                    | B          |        |         |           |          |      |         |
| PX 64                  | <a href="http://www.desktoplinux.com/news/NS6584091276.html">http://www.desktoplinux.com/news/NS6584091276.html</a> - Red Hat Global Desktop to appear in November - 3 pages - 10/12/2007  | Riveros 20                                    | B          |        |         |           |          |      |         |
| PX 65                  | Red Hat Offers Enhanced Value to Customers with Red Hat Enterprise Linux 5.2 - 3 pages - 05/21/2008  | Riveros 21                                    | B          |        |         |           |          |      |         |
| PX 66                  | Community Welcomes Fedora 8 With Strong Download Numbers - 3 pages - © 2009  | Riveros 22                                    | B          |        |         |           |          |      |         |
| PX 67                  | <a href="http://www.eweek.com/c/a/IT-Infrastructure/Red-Hat-Shuns-Windows-Clone-Model-for-Global-Desktop/">http://www.eweek.com/c/a/IT-Infrastructure/Red-Hat-Shuns-Windows-Clone-Model-for-Global-Desktop/</a> - Red Hat Shuns Windows Clone Model for Global Desktop by Peter Galli - 4 pages - 05/10/2007 | Riveros 23                                    | B          |        |         |           |          |      |         |
| PX 68                  | <a href="http://www.fedoraproject.org/wiki/RHEL">http://www.fedoraproject.org/wiki/RHEL</a> - Red Hat Enterprise Linux from FedoraProject - 4 pages - 08/12/2009   | Riveros 24                                    | B          |        |         |           |          |      |         |

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PLAINTIFFS' SUBMISSION OF TRIAL EXHIBITS ADMITTED APRIL 28, 2010 - PAGE 8



| Plaintiffs'<br>Ex. No. | Document Description   | Bates No./ Dep. Exh.<br>No./ Docket Index No. | Category** | Marked | Offered | Objection | Admitted | Date | Witness   |
|------------------------|--|---|------------|--------|---------|-----------|----------|------|-----------|
| PX 69                  | UNIX to Linux Migration: An Introduction by Nathan Thomson, Revision 4a - 02/2005  | RH0001291-<br>RH0001314; Riveros<br>25        | B          |        | X       |           | X        | 4/27 | Zimmerman |
| PX 70                  | Investor Brochure - Red Hat Sells Subscriptions - 2009   | RH0002524-<br>RH0002525; Riveros<br>26        | B          |        |         |           |          |      |           |
| PX 71                  | Brochure - Red Hat Enterprise Linux 5 Desktop - © 2006   | RH0014481-<br>RH0014484; Riveros<br>27        | B          |        |         |           |          |      |           |
| PX 72                  | Red Hat Enterprise Linux Life Cycle - © 2008   | RH0014494-<br>RH0014500; Riveros<br>28        | B          |        |         |           |          |      |           |
| PX 73                  | Save 5% on 1 year Server and Desktop Subscription Products - Offer Expires 11/30/2008 - © 2009   | RH0002474-<br>RH0002475; Riveros<br>29        | B          |        |         |           |          |      |           |
| PX 74                  | PowerPoint presentation - Red Hat Enterprise Linux Product Overview - 02/2005 - 01/26/2005   | RH0001181-<br>RH0001220; Riveros<br>30        | B          |        |         |           |          |      |           |
| PX 75                  | Value of a Red Hat Subscription - 05/04/2005   | RH0000944-<br>RH0000945; Riveros<br>32        | B          |        |         |           |          |      |           |
| PX 76                  | Red Hat Prepaid and Volume Discounts - 12/16/2008 - © 2008   | RH0000845-<br>RH0000846; Riveros<br>33        | B          |        |         |           |          |      |           |
| PX 77                  | Red Hat Enterprise Linux 5 General Overview - 02/2007  | RH0001574-<br>RH0001589; Riveros<br>34        | B          |        |         |           |          |      |           |
| PX 78                  | Red Hat Enterprise Linux 5 Product Packaging Changes & Upgrading for Red Hat Enterprise Linux 2.1, 3, & 4 customers & Red Hat partners - 02/2007 | RH0001598-<br>RH0001603; Riveros<br>35        | B          |        |         |           |          |      |           |

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| Plaintiffs'<br>Ex. No. | Document Description   | Bates No./ Dep. Exh.<br>No./ Docket Index No. | Category** | Marked | Offered | Objection | Admitted | Date | Witness  |
|------------------------|--|---|------------|--------|---------|-----------|----------|------|----------|
| PX 79                  | Red Hat Enterprise Linux 5 - Feature, function, and benefit summary - 02/2007  | RH0001570-<br>RH0001571; Riveros<br>36        | B          |        |         |           |          |      |          |
| PX 80                  | Red Hat Exploratory Assessment - © 2007  | RH0000922-<br>RH0000923; Riveros<br>37        | B          |        |         |           |          |      |          |
| PX 81                  | Red Hat Enterprise Linux Migration Services - 08/2007  | RH0000924-<br>RH0000925; Riveros<br>38        | B          |        |         |           |          |      |          |
| PX 82                  | Red Hat Enterprise Linux Smart Start - 10/2007   | RH0000926-<br>RH0000927; Riveros<br>39        | B          |        |         |           |          |      |          |
| PX 83                  | Health Check Services - Red Hat - 08/2007  | RH0000928-<br>RH0000929; Riveros<br>40        | C          |        |         |           |          |      |          |
| PX 84                  | Performance Tuning Services - Red Hat - 08/2007  | RH0000930-<br>RH0000931; Riveros<br>41        | C          |        |         |           |          |      |          |
| PX 85                  | Red Hat Certificate System Implementation Service - © 2007   | RH0000932-<br>RH0000933; Riveros<br>42        | C          |        |         |           |          |      |          |
| PX 86                  | Red Hat Enterprise Linux 5 Financial Services Solution Guide - 03/2007   | RH0000808-<br>RH0000811; Riveros<br>43        | B          |        |         |           |          |      |          |
| PX 87                  | PowerPoint presentation - High Availability Clustering Simplify Management and Squeeze Out Costs - Joel Berman and Aryeh Selekman - 07/29/2008 | RH0001434-<br>RH0001457; Riveros<br>44        | B          |        |         |           |          |      |          |
| PX 88                  | Novell Positioning/Messaging Document - Enterprise Linux Desktops - v1.0 - Solution Manager: Grant Ho - 12/22/2008                             | NV0001185-<br>NV0001204; Steinman<br>2        | B          |        | X       |           | X        | 4/27 | Steinman |

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| Plaintiffs'<br>Ex. No. | Document Description  | Bates No./ Dep. Exh.<br>No./ Docket Index No.                                  | Category** | Marked | Offered | Objection | Admitted | Date         | Witness               |
|------------------------|---|--|------------|--------|---------|-----------|----------|--------------|-----------------------|
| PX 89                  | KDE Quick Start SUSE Linux Enterprise Desktop 10 SP2 - Novell Quick Start Card - 11 pages   | Steinman 4   | B          |        | X       | X         |          | 4/27         | Zimmerman             |
| PX 90                  | SUSE Linux Enterprise Desktop GNOME User Guide - 10SP2 - 24 pages - 05/08/2008  | Steinman Exhibit 5 (Also Gemini 15 adding blank pages) (Also used at Rex Dep.) | B          |        | X       |           | X        | 4/27<br>4/27 | Steinman<br>Rex       |
| PX 91                  | <a href="http://www.theregister.co.uk/2009/07/07/novell_sles11_uptake/">http://www.theregister.co.uk/2009/07/07/novell_sles11_uptake/</a> - SUSE 11 takes off faster than 10 - Novell still cool to KVM by Timothy Prickett Morgan - 4 pages - 07/07/2009 | Steinman 6   | B          |        | X       | X         |          | 4/27         | Steinman              |
| PX 92                  | Competitive Comparison Flyer - SUSE Linux Enterprise Server, Including Technical Support and Training - 10/2008   | NV0001549-<br>NV0001552; Steinman 7  | B          |        | X       |           | X        | 4/27<br>4/27 | Zimmerman<br>Steinman |
| PX 93                  | PowerPoint presentation - Novell Making IT Work As One - Investor Relations Q4 FY 2008 Update   | NV0000827-<br>NV0000847; Steinman 8  | B          |        |         |           |          |              |                       |
| PX 94                  | Novell Solution Flyer - SUSE Linux Enterprise: The Freedom of Flexible Pricing - 07/2006  | NV0001569-<br>NV0001570; Steinman 9  | B          |        |         |           |          |              |                       |
| PX 95                  | The VAR Guy - What's Next In the IT Channel - Novell: Desktop Linux Paves Way to Lenovo Server Deal - 2 pages - 09/03/2008  | Steinman 10  | B          |        | X       | X         |          | 4/27         | Steinman              |
| PX 96                  | Novell Services Brochure SUSE Linux Enterprise 10 - Running at Full Throttle: Novell Services for SUSE Linux Enterprise - 01/2007   | NV0001979-<br>NV0001985; Steinman 12   | B          |        |         |           |          |              |                       |
| PX 97                  | Novell Positioning/Messaging Document - Enterprise Linux Servers - Solution Marketing Manager: Michael Applebaum - 12/22/2008   | NV0001205-<br>NV0001236; Steinman 13   | B          |        |         |           |          |              |                       |
| PX 98                  | Novell Program Flyer - Novell Linux Indemnification Program - 10/2006   | NV0001633-<br>NV0001634; Steinman 14 (Also used at Rex Dep.)                   | B          |        | X       |           | X        | 4/27         | Steinman              |

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| Plaintiffs'<br>Ex. No. | Document Description   | Bates No./ Dep. Exh.<br>No./ Docket Index No. | Category** | Marked | Offered | Objection | Admitted | Date         | Witness           |
|------------------------|--|---|------------|--------|---------|-----------|----------|--------------|-------------------|
| PX 99                  | PowerPoint presentation - Positioning SUSE Linux Enterprise for Migrations - Ross Brunson, Josh Dorfman, Frank Curran  | NV0002446-NV0002486; Steinman 15              | B          |        |         |           |          |              |                   |
| PX 100                 | Red Hat, Inc. Form 10-K - year ended 02/29/2008 - 04/29/2008   | RH0000652-RH0000797; Stone 45                 | B          |        | X       | X         |          | 4/27<br>4/28 | Gemini<br>Tiemann |
| PX 101                 | Red Hat Annual Report - 02/28/2009 - 118 pages - 04/29/2009  | Stone 46                                      | B          |        |         |           |          |              |                   |
| PX 102                 | Fedora - Legal Notice - 05/31/2007   | RH0002768-RH0002769; Stone 47                 | B          |        |         |           |          |              |                   |
| PX 103                 | Red Hat Reports Fiscal Fourth Quarter and Fiscal Year 2009 Results - 9 pages - 03/25/2009  | Stone 49                                      | B          |        |         |           |          |              |                   |
| PX 104                 | Defendant Red Hat, Inc.'s Initial Disclosures - 9 pages - 12/15/2008   | Tiemann 7                                     | B          |        |         |           |          |              |                   |
| PX 105                 | Letter from Niro, Scavone, Haller and Niro to Michael Cunningham of Red Hat, Inc. - 10/08/2007   | TLC018521-TLC018524; Tiemann 8                | C          |        |         |           |          |              |                   |
| PX 106                 | Source Code - screen object - 38 pages   | Zimmerman 9                                   | A          |        |         |           |          |              |                   |
| PX 107                 | Source Code - X11/Xlib.h - 69 pages  | Zimmerman 10                                  | A          |        |         |           |          |              |                   |
| PX 108                 | Chart Accompanying Plaintiffs' Amended Infringement Contentions: Infringement of Henderson US Patent # 5,072,412 Claims 1 & 24 by Fedora 7-9 - 34 pages - 09/09/2009   | Zimmerman 11                                  | A          |        |         |           |          |              |                   |
| PX 109                 | <a href="https://bugzilla.redhat.com/show_bug.cgi?id=440054">https://bugzilla.redhat.com/show_bug.cgi?id=440054</a> - Bug 440054 - gdm-user-switch-applet doesn't offer "icon only look" anymore                                       |   | B          |        |         |           |          |              |                   |
| PX 110                 | Articles re Xerox Rooms: Bay Area Computer Currents - Windows & OS/2 Expo, by Charles Bermant, 02/11-24/1992; Millimeter Magazine - Newmedia - Virtual Rooms and the Art of Memory, by Dan Ochiva, 04/1991 - 02/11-24/1992 and 04/1991 | XP 000088-XP 000089                           | B          |        |         |           |          |              |                   |
| PX 111                 | Articles re Xerox Rooms: InfoFlash - Xerox Rooms and Hewlett-Packard Newwave: Two Products in Search of a Market, by William J. Higgs, 04/23/1992  | XP 000090-XP 000091                           | B          |        |         |           |          |              |                   |

\*\* Categories: (A) - Will Use; (B) - May Use; (C) Probably Won't Use

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| Plaintiffs'<br>Ex. No. | Document Description   | Bates No./ Dep. Exh.<br>No./ Docket Index No. | Category** | Marked | Offered | Objection | Admitted | Date | Witness |
|------------------------|--|---|------------|--------|---------|-----------|----------|------|---------|
| PX 112                 | Articles re Xerox Rooms: InfoWorld - XSoft utility offers rooms with a better Windows view, by Nicholas Petreley, Vol. 14, Issue 13, 03/30/1992  | XP 000092-XP 000093                           | B          |        |         |           |          |      |         |
| PX 113                 | Articles re Xerox Rooms: InfoWorld - Microsoft Eyes Interface From PARC Spin-Off, by Stuart J. Johnson; Rooms, Lisp Products Highlight AI Conference, by Stuart J. Johnson, Vol. 10, Issue 35, 08/29/1988; and Rooms Creates Desktop Publishing 'Building', by Martin Marshall, 09/05/1988 - 08/29/1988 and 09/05/1988 | XP 000094-XP 000096                           | A          |        |         |           |          |      |         |
| PX 114                 | Articles re Xerox Rooms - Information Teller Xerox PARC - User-friendly computers: A screen with many rooms, The Economist, 06/29/1991   | XP 000194-XP 000195                           | B          |        |         |           |          |      |         |
| PX 115                 | Articles re Xerox Rooms - XSoft Introduces Rooms for Windows, EDGE, Vol. v3, Issue n98, 04/06/1992; Xerox Makes 'Room' on the Windows Desktop, by Paula Rooney, PC Week Software, p. 42, 04/20/1992 - 04/06/1992 and 04/20/1992  | XP 000196-XP 000198                           | B          |        |         |           |          |      |         |
| PX 116                 | Articles re Xerox Rooms - An Easier Interface: Xerox PARC, originator of the computer desktop, unveils a vision for the future of user interfaces, by Mark A. Clarkson, BYTE, 02/1991  | XP 000243-XP 000247                           | B          |        |         |           |          |      |         |
| PX 117                 | Articles re Xerox Rooms - Xerox Markets Advanced User Interface - Rooms for Rent, by Joshua Greenbaum, Computer System News, 04/23/1990; A View of the Rooms, by Joshua Greenbaum  | XP 000258-XP 000260                           | B          |        |         |           |          |      |         |
| PX 118                 | Articles re Xerox Rooms - Making Windows Better - Quotes from reviews for Rooms for Windows  | XP 000264 (Portion of Card 15)                | B          |        |         |           |          |      |         |
| PX 119                 | Articles re Xerox Rooms - XSoft utility provides rooms with a better Windows view, by Nicholas Petreley, InfoWorld, 03/30/1992   | XP 000265 (Portion of Card 15)                | B          |        |         |           |          |      |         |
| PX 120                 | Articles re Xerox Rooms - Giving Windows Lots of Rooms, PC World, 06/1992  | XP 000267 (Portion of Card 15)                | B          |        |         |           |          |      |         |
| PX 121                 | Articles re Xerox Rooms - Xerox Makes 'Room' on the Windows Desktop, by Paula Rooney, PC Week, 04/20/1992  | XP 000268 (Portion of Card 15)                | B          |        |         |           |          |      |         |
| PX 122                 | Articles re Xerox Rooms - Xerox Rooms Builds Walls On the Windows Desktop, by Barry Simon, PC Magazine, 06/16/1992   | XP 000270 (Portion of Card 15)                | B          |        |         |           |          |      |         |

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| Plaintiffs'<br>Ex. No. | Document Description  | Bates No./ Dep. Exh.<br>No./ Docket Index No. | Category** | Marked | Offered | Objection | Admitted | Date | Witness |
|------------------------|---|---|------------|--------|---------|-----------|----------|------|---------|
| PX 123                 | Articles re Xerox Rooms - Xerox Rooms and Hewlett-Packard Viewwave: Two Products in Search of a Market, InfoFlash, 04/23/1992 | XP 000271-XP 000272 (Portion of Card 15)      | B          |        |         |           |          |      |         |
| PX 124                 | Articles re Xerox Rooms - Xerox offers spacious Rooms for Windows, PC Week  | XP 000273 (Portion of Card 15)                | B          |        |         |           |          |      |         |
| PX 125                 | Articles re Xerox Rooms - Windows & OS/2 Expo, by Charles Bermant, Computer Currents, © 1992                                  | XP 000276 (Portion of Card 15)                | B          |        |         |           |          |      |         |
| PX 126                 | Articles re Xerox Rooms - Rooms for Improvement, by Charles Bermant, Computer Currents, 04/21/1992                            | XP 000277-XP 000279 (Portion of Card 15)      | B          |        |         |           |          |      |         |
| PX 127                 | Articles re Xerox Rooms - Unit Introduces Software for Microsoft's Windows, The Wall Street Journal, © 1989                   | XP 000280 (Portion of Card 15)                | B          |        |         |           |          |      |         |
| PX 128                 | Articles re Xerox Rooms - Windows Gets Cosmetic Surgery, by Mike Hogan, PC World, 04/1992                                     | XP 000281 (Portion of Card 15)                | B          |        |         |           |          |      |         |
| PX 129                 | Articles re Xerox Rooms - Xerox Xorp. Company Briefs, The New York Times, 04/03/1992  | XP 000282 (Portion of Card 15)                | B          |        |         |           |          |      |         |
| PX 130                 | Articles re Xerox Rooms - Show to highlight Windows, OS/2 duel, by Carol Hildebrand, Computerworld                            | XP 000283 (Portion of Card 15)                | B          |        |         |           |          |      |         |
| PX 131                 | Articles re Xerox Rooms - Xerox Unveils Software That Advances Windows, Associated Press, Los Angeles Times, 04/03/1992       | XP 000284 (Portion of Card 15)                | B          |        |         |           |          |      |         |
| PX 132                 | Articles re Xerox Rooms - Rooms for Windows, MicroTimes Product Spotlight, New Products, fax dated 05/07/1992                 | XP 000286 (Portion of Card 15)                | B          |        |         |           |          |      |         |
| PX 133                 | Articles re Xerox Rooms - Roomy software introduced - Associated Press, The Times New Orleans, 04/03/1992                     | XP 000287 (Portion of Card 15)                | B          |        |         |           |          |      |         |
| PX 134                 | Articles re Xerox Rooms - Xerox program expands capabilities of Windows, Columbus Dispatch, 04/03/1992                        | XP 000288 (Portion of Card 15)                | B          |        |         |           |          |      |         |
| PX 135                 | Articles re Xerox Rooms - Xerox software makes more room for 'Windows', Associated Press, Sacramento Bee, 04/03/1992          | XP 000289 (Portion of Card 15)                | B          |        |         |           |          |      |         |

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| Plaintiffs'<br>Ex. No. | Document Description  | Bates No./ Dep. Exh.<br>No./ Docket Index No. | Category** | Marked | Offered | Objection | Admitted | Date | Witness   |
|------------------------|---|---|------------|--------|---------|-----------|----------|------|-----------|
| PX 136                 | Articles re Xerox Rooms - XSoft utility offers rooms with a better Windows view, by Nicholas Petreley, InfoWorld , Vol. 14, Issue 13, 03/30/1992; Visualizing cleared-off desktops, by Michael Alexander, Computerworld, 05/06/1991 - 03/30/1992 and 05/06/1991 | XP 000304-XP 000306                           | B          |        |         |           |          |      |           |
| PX 137                 | Articles re Xerox Rooms - Information Teller Xerox PARC - User-friendly computers: A screen with many rooms, The Economist, 06/29/1991  | XP 000307-XP 000308                           | B          |        |         |           |          |      |           |
| PX 138                 | Articles re Xerox Rooms - Coming Soon: Data You Can Look Under and Walk Through, by Andrew Pollack, The New York Times, 10/14/1990  | XP 000323-XP 000324                           | B          |        |         |           |          |      |           |
| PX 139                 | A Multiple, Virtual-Workspace Interface to Support User Task Switching, by Stuart K. Card and Austin Henderson, Jr., ACM, 1987, pp. 53-59   | XP 000375-XP 000383                           | B          |        | X       |           | X        | 4/26 | Henderson |
| PX 140                 | Rooms: The Use of Multiple Virtual Workspaces to Reduce Space Contention in a Window-Based Graphical User Interface, by D. Austin Henderson and Stuart K. Card  | XP 000387-XP 000448                           | B          |        |         |           |          |      |           |
| PX 141                 | Packaging for Xerox Rooms for Windows from XSoft  | XP 000449-XP 000452                           | B          |        |         |           |          |      |           |
| PX 142                 | Xerox/XSoft debuts PaperWorks, Rooms, The Seybold Report on Desktop Publishing, Vol. 6, No. 9, 05/11/1992   | XP 000453-XP 000455                           | A          |        |         |           |          |      |           |
| PX 143                 | Theory-Driven Design Research, by Stuart K. Card, 1989  | XP 000476-XP 000485                           | B          |        |         |           |          |      |           |
| PX 144                 | Catalogues - A Metaphor for Computer Application Delivery, by Stuart K. Card and D. Austin Henderson, Jr., IFIP Interact, '87 Conference - 1987   | XP 000486-XP 000491                           | B          |        |         |           |          |      |           |
| PX 145                 | A Multiple, Virtual-Workspace Interface to Support User Task Switching, by Stuart K. Card and Austin Henderson, Jr., ACM, 1987  | XP 000492-XP 000498                           | B          |        |         |           |          |      |           |
| PX 146                 | Towards the Human Interface of the Next Generation, by Stuart K. Card, 1989   | XP 000501-XP 000503                           | B          |        |         |           |          |      |           |
| PX 147                 | Information Workspaces, by Stuart K. Card, 1989   | XP 000504-XP 000523                           | B          |        |         |           |          |      |           |

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| Plaintiffs'<br>Ex. No. | Document Description  | Bates No./ Dep. Exh.<br>No./ Docket Index No.         | Category** | Marked | Offered | Objection | Admitted | Date         | Witness           |
|------------------------|---|---|------------|--------|---------|-----------|----------|--------------|-------------------|
| PX 148                 | A Multiple, Virtual-Workspace Interface to Support User Task Switching, by Stuart K. Card and Austin Henderson, Jr.   | XP 000524-XP 000530                                   | B          |        |         |           |          |              |                   |
| PX 149                 | Rooms: The Use of Multiple Virtual Workspaces to Reduce Space Contention in a Window-Based Graphical User Interface, by D. Austin Henderson and Stuart K. Card, ACM Transactions on Graphics, Vol. 5, No. 3, 07/1986, pp. 211-243 | XP 000531-XP 000563                                   | B          |        | X       |           | X        | 4/26<br>4/28 | Henderson<br>Card |
| PX 150                 | Rooms: The Use of Multiple Virtual Workspaces to Reduce Space Contention in a Window-Based Graphical User Interface, by D. Austin Henderson and Stuart K. Card  | XP 000564-XP 000618                                   | B          |        |         |           |          |              |                   |
| PX 151                 | Xerox Rooms for Windows from XSoft User Guide, Version 1.0, 03/01/1992  | XP 000679-XP 000760                                   | B          |        |         |           |          |              |                   |
| PX 152                 | Lab Notebook for Stuart Card, No. RJ-18, Used from 07/13/1990 to 03/25/1991   | XP 000761-XP 001071                                   | C          |        |         |           |          |              |                   |
| PX 153                 | Lab Notebook for Stuart Card, No. RJ-17, Used from 09/19/1989 to 07/02/1990   | XP 001072-XP 001377                                   | C          |        |         |           |          |              |                   |
| PX 154                 | Lab Notebook, No. RJ-15, Used from 08/30/1988 to 02/27/1989   | XP 001378-XP 001531                                   | C          |        |         |           |          |              |                   |
| PX 155                 | Lab Notebook for Stuart Card, No. RJ-12, Used from 03/11/1987 to 10/15/1987   | XP 001532-XP<br>001701; Henderson 13                  | C          |        |         |           |          |              |                   |
| PX 156                 | Lab Notebook for Stuart Card, No. RJ-11, Used from 05/30/1986 to ??   | XP 001702-XP<br>001860; Henderson 12<br>(Also Card 6) | C          |        | X<br>X  | X<br>X    | X<br>X   | 4/26<br>4/28 | Henderson<br>Card |
| PX 156A                | Portion of Lab Notebook for Stuart Card, No. RJ-11, Used from 05/30/1986 to ??  | XP 001702; Henderson<br>12 (Also Card 6)              | C          |        | X       |           | X        | 4/26         | Henderson         |
| PX 156B                | Portion Lab Notebook for Stuart Card, No. RJ-11, Used from 05/30/1986 to ??   | XP 001753-XP<br>001760; Henderson 12<br>(Also Card 6) | C          |        | X       |           | X        | 4/26         | Henderson         |
| PX 156C                | Portion Lab Notebook for Stuart Card, No. RJ-11, Used from 05/30/1986 to ??   | XP 001836-XP<br>001837; Henderson 12<br>(Also Card 6) | C          |        | X       |           | X        | 4/26         | Henderson         |

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| Plaintiffs'<br>Ex. No. | Document Description   | Bates No./ Dep. Exh.<br>No./ Docket Index No. | Category** | Marked | Offered | Objection | Admitted | Date | Witness   |
|------------------------|--|---|------------|--------|---------|-----------|----------|------|-----------|
| PX 157                 | Lab Notebook for Stuart Card, No. RJ-13, Used from 10/21/1987 to 02/18/1988  | XP 001868-XP 002026                           | C          |        |         |           |          |      |           |
| PX 158                 | Plans for Investigating Cognitive and Perceptual Principles of Window-Based Computer Dialogues, by Stuart Card, CIS Meeting, 12/20/1983  | XP 002033-XP 002087                           | C          |        |         |           |          |      |           |
| PX 159                 | Computer Display Windows, by Stuart Card and Misha Pavel, Space Human Factors Program Peer Review, 04/04/1985  | XP 002088-XP 002142                           | C          |        |         |           |          |      |           |
| PX 160                 | Progress in Understanding Advanced Graphical Dialogues, by S. Card, A. Henderson, K. Lovstrand, Visit of E. Palmer of NASA, 11/07/1985   | XP 002192-XP 002219                           | C          |        |         |           |          |      |           |
| PX 161                 | Cognitive and Perceptual Principles of Window-Based Computer Dialogues, by Michael Pavel, Stuart K. Card, and Joyce E. Farrell, 10/25/1983   | XP 002220-XP 002237                           | C          |        |         |           |          |      |           |
| PX 162                 | Hand Written Notes re "How can we understand graphical user interfaces?" diagrams/flowcharts   | XP 002238-XP 002253                           | C          |        |         |           |          |      |           |
| PX 163                 | Submission with letters to International Federal for Information Processing for Interact '87: Catalogues: A Metaphor for Computer Application Delivery, by S. K. Card and D. Austin Henderson, Jr., delivery dated 07/11/1986          | XP 002301-XP 002319                           | C          |        |         |           |          |      |           |
| PX 164                 | A Multiple, Virtual-Workspace Interface to Support User Task Switching, by S. K. Card and D.A. Henderson, Jr., ACM, 1987 - 8 pages   | Card 8  | B          |        |         |           |          |      |           |
| PX 165                 | Rooms: The Use of Multiple Virtual Workspaces to Reduce Space Contention in a Window-Based Graphical User Interface, by D. Austin Henderson, Jr. and Stuart K. Card, ACM Transactions of Graphics, Vol. 5, No. 3, 07/1986, pp. 211-243 | RHNO0022945-<br>RHNO0022977;<br>Henderson 3   | B          |        |         |           |          |      |           |
| PX 166                 | <b>VIDEO:</b> "Rooms - Stuart Card and D. Austin Henderson, April 3, 1987 RT: 20:00"   | Henderson 5                                   | B          |        | X       |           | X        | 4/26 | Henderson |
| PX 167                 | <b>VIDEO:</b> "Rooms: Beyond the Desktop Metaphor Autsin Henderson, EuoPARC & Stuart Card, Intelligent Systems Lab 08/27/87 TRT: 68 min. V373"   | Henderson 6                                   | B          |        |         |           |          |      |           |
| PX 168                 | <b>DISC:</b> SOURCE CODE - OPENSUSE 10.3 Source Code A-G   | NV000001                                      | C          |        |         |           |          |      |           |

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| Plaintiffs'<br>Ex. No. | Document Description   | Bates No./ Dep. Exh.<br>No./ Docket Index No.                | Category** | Marked | Offered | Objection | Admitted | Date         | Witness         |
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| PX 169                 | <b>DISC:</b> SOURCE CODE - OPENSUSE 10.3 Source Code H-S   | NV000002   | C          |        |         |           |          |              |                 |
| PX 170                 | <b>DISC:</b> SOURCE CODE - SLES 10 SP2 Source Code   | NV000003   | C          |        |         |           |          |              |                 |
| PX 171                 | <b>DISC:</b> SOURCE CODE - SLES 10 SP1 Source Code   | NV000004   | C          |        |         |           |          |              |                 |
| PX 172                 | <b>DISC:</b> SOURCE CODE - OPENSUSE 10.3 Source Code T-2   | NV000005   | C          |        |         |           |          |              |                 |
| PX 173                 | <b>DISC:</b> SOURCE CODE - SLED 10 Source Code   | NV000006   | C          |        |         |           |          |              |                 |
| PX 174                 | <b>DISC:</b> SOURCE CODE - SLED 10 SP1 Source Code   | NV000007   | C          |        |         |           |          |              |                 |
| PX 175                 | <b>DISC:</b> SOURCE CODE - OPENSUSE 11 Source Code   | NV000008   | C          |        |         |           |          |              |                 |
| PX 176                 | <b>DISC:</b> SOURCE CODE - OPENSUSE 10.2 Source Code   | NV000009   | C          |        |         |           |          |              |                 |
| PX 177                 | <b>DISC:</b> SOURCE CODE - SLED 10 SP2 Source Code   | NV000010   | C          |        |         |           |          |              |                 |
| PX 178                 | Novell Linux Terminal Services Featuring Novell S2D Terminal Services White Paper - 2005   | NV0002170-<br>NV0002177                                      | B          |        |         |           |          |              |                 |
| PX 179                 | Novell Reviewers Guide SUSE Linux Enterprise Desktop 10 - 06/2006, v2  | NV0002347-<br>NV0002366                                      | B          |        |         |           |          |              |                 |
| PX 180                 | PowerPoint presentation - Ienovo / Novell - Ross Brunson, Jose Betancourt, Ryan Shinnick   | NV0002392-<br>NV0002421; Steinman 11 (Also used at Rex Dep.) | B          |        | X       |           | X        | 4/27<br>4/27 | Steinman<br>Rex |
| PX 181                 | SUSE Linux Enterprise 10 - A Desktop to Data Center Platform   | NV002422   | B          |        |         |           |          |              |                 |
| PX 182                 | PowerPoint presentation - Making Your Mixed IT Environment Work As One - Linux Foundation End User Summit - Ron Hovsepian - 10/13/2008 | NV0002509-<br>NV0002520; Steinman 16                         | B          |        |         |           |          |              |                 |
| PX 183                 | Linux and Open Source in Your Enterprise - Ron Hovsepian   | NV0002521-<br>NV0002551; Steinman 17                         | B          |        |         |           |          |              |                 |
| PX 184                 | PowerPoint presentation - SUSE Linux Enterprise 10 - The Platform for the Open Enterprise - CxO presentation - Published 09/21/2006    | NV0003133-<br>NV0003158                                      | B          |        |         |           |          |              |                 |

\*\* Categories: (A) - Will Use; (B) - May Use; (C) Probably Won't Use

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| Plaintiffs'<br>Ex. No. | Document Description   | Bates No./ Dep. Exh.<br>No./ Docket Index No.                     | Category** | Marked | Offered | Objection | Admitted | Date                 | Witness                      |
|------------------------|--|---|------------|--------|---------|-----------|----------|----------------------|------------------------------|
| PX 185                 | PowerPoint presentation - SUSE Linux Enterprise 10 - Delivering Business Value   | NV0003159-<br>NV0003194   | B          |        |         |           |          |                      |                              |
| PX 186                 | PowerPoint presentation - SUSE Linux Enterprise 10 - The Platform for the Open Enterprise - Slide Library Version 6 - 03/09/2007 | NV0003230-<br>NV0003621   | B          |        |         |           |          |                      |                              |
| PX 187                 | Novell Product Flyer - SUSE Linux Enterprise Desktop: A Cost-effective and Flexible Desktop Alternative                          | NV0003936-<br>NV0003939   | B          |        |         |           |          |                      |                              |
| PX 188                 | Novell openSUSE GNOME User Guide - 10.2 - 11/29/2006   | NV0004143-<br>NV0004416   | B          |        |         |           |          |                      |                              |
| PX 189                 | Novell openSUSE 10.2 GNOME Quick Start Card - © 2006   | NV0004417-<br>NV0004425   | B          |        |         |           |          |                      |                              |
| PX 190                 | Novell openSUSE 10.2 KDE Quick Start Card - © 2006   | NV0004426-<br>NV0004434   | B          |        |         |           |          |                      |                              |
| PX 191                 | Novell openSUSE KDE User Guide - 10.2 - 11/29/2006   | NV0004435-<br>NV0004762   | B          |        |         |           |          |                      |                              |
| PX 192                 | Novell openSUSE GNOME User Guide - 10.3 - 10/12/2007   | NV0005869-<br>NV0006164   | B          |        |         |           |          |                      |                              |
| PX 193                 | Novell openSUSE 10.3 GNOME Quick Start Card - © 2006-2007  | NV0006165-<br>NV0006175   | B          |        |         |           |          |                      |                              |
| PX 194                 | Novell openSUSE 10.3 KDE Quick Start Card - © 2006-2007  | NV0006176-<br>NV0006187   | B          |        |         |           |          |                      |                              |
| PX 195                 | Novell openSUSE KDE User Guide - 10.3 - 09/27/2007   | NV0006188-<br>NV0006495   | B          |        |         |           |          |                      |                              |
| PX 196                 | Novell openSUSE 11.0 GNOME Quick Start Card - © 2006-2008  | NV0007644-<br>NV0007654   | B          |        |         |           |          |                      |                              |
| PX 197                 | Novell openSUSE 11.0 KDE Quick Start Card - © 2006-2008  | NV0007655-<br>NV0007668; Steinman<br>3 (Also used at Rex<br>Dep.) | B          |        | X       | X         | X        | 4/27<br>4/27<br>4/27 | Zimmerman<br>Steinman<br>Rex |

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| Plaintiffs'<br>Ex. No. | Document Description  | Bates No./ Dep. Exh.<br>No./ Docket Index No. | Category** | Marked | Offered | Objection | Admitted | Date | Witness   |
|------------------------|---|---|------------|--------|---------|-----------|----------|------|-----------|
| PX 198                 | SUSE Linux Enterprise Desktop: Tech Specs - Linux Technical Specifications - © 2008 | NV0008781-<br>NV0008785; Rex 6                | B          |        | X       |           | X        | 4/27 | Rex       |
| PX 199                 | <b>DISC:</b> SOURCE CODE - olvwm.rpm  | NV0016725                                     | C          |        |         |           |          |      |           |
| PX 200                 | <b>DISC:</b> SOURCE CODE - FEDORA 7 - Disk 1  | RH0000001                                     | C          |        |         |           |          |      |           |
| PX 201                 | <b>DISC:</b> SOURCE CODE - FEDORA 7 - Disk 2  | RH0000002                                     | C          |        |         |           |          |      |           |
| PX 202                 | <b>DISC:</b> SOURCE CODE - FEDORA 8 - Disk 1  | RH0000003                                     | C          |        |         |           |          |      |           |
| PX 203                 | <b>DISC:</b> SOURCE CODE - FEDORA 8 - Disk 2  | RH0000004                                     | C          |        |         |           |          |      |           |
| PX 204                 | <b>DISC:</b> SOURCE CODE - FEDORA 8 - Disk 3  | RH0000005                                     | C          |        |         |           |          |      |           |
| PX 205                 | <b>DISC:</b> SOURCE CODE - FEDORA 9 - Disk 1  | RH0000006                                     | C          |        |         |           |          |      |           |
| PX 206                 | <b>DISC:</b> SOURCE CODE - FEDORA 9 - Disk 2  | RH0000007                                     | C          |        |         |           |          |      |           |
| PX 207                 | <b>DISC:</b> SOURCE CODE - FEDORA 9 - Disk 3  | RH0000008                                     | C          |        |         |           |          |      |           |
| PX 208                 | <b>DISC:</b> SOURCE CODE - RHEL 5 - Server GOLD                                     | RH0000009                                     | C          |        | X       |           | X        | 4/27 | Zimmerman |
| PX 209                 | <b>DISC:</b> SOURCE CODE - RHEL 5 - Client U1                                       | RH0000010                                     | C          |        |         |           |          |      |           |
| PX 210                 | <b>DISC:</b> SOURCE CODE - RHEL 5 - Client GOLD                                     | RH0000011                                     | C          |        |         |           |          |      |           |
| PX 211                 | <b>DISC:</b> SOURCE CODE - RHEL 4 - U6  | RH0000012                                     | C          |        |         |           |          |      |           |
| PX 212                 | <b>DISC:</b> SOURCE CODE - RHEL 4 - U7  | RH0000013                                     | C          |        |         |           |          |      |           |
| PX 213                 | <b>DISC:</b> SOURCE CODE - RHEL 4 - U5  | RH0000014                                     | C          |        |         |           |          |      |           |
| PX 214                 | <b>DISC:</b> SOURCE CODE - RHEL 4 - U4  | RH0000015                                     | C          |        |         |           |          |      |           |
| PX 215                 | <b>DISC:</b> SOURCE CODE - RHEL 4 - U3  | RH0000016                                     | C          |        |         |           |          |      |           |
| PX 216                 | <b>DISC:</b> SOURCE CODE - RHEL 4 - U2  | RH0000017                                     | C          |        |         |           |          |      |           |
| PX 217                 | <b>DISC:</b> SOURCE CODE - RHEL 5 - Server U2                                       | RH0000018                                     | C          |        |         |           |          |      |           |
| PX 218                 | <b>DISC:</b> SOURCE CODE - RHEL 4 - U1  | RH0000019                                     | C          |        |         |           |          |      |           |
| PX 219                 | <b>DISC:</b> SOURCE CODE - RHEL 4 - GOLD  | RH0000020                                     | C          |        |         |           |          |      |           |

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| Plaintiffs'<br>Ex. No. | Document Description   | Bates No./ Dep. Exh.<br>No./ Docket Index No.                | Category** | Marked | Offered | Objection | Admitted | Date | Witness   |
|------------------------|--|--|------------|--------|---------|-----------|----------|------|-----------|
| PX 220                 | <b>DISC:</b> SOURCE CODE - RHEL 5 - Client U2  | RH0000021  | C          |        |         |           |          |      |           |
| PX 221                 | <b>DISC:</b> SOURCE CODE - RHEL 5 - Server U1  | RH0000022  | C          |        |         |           |          |      |           |
| PX 222                 | Red Hat An Overview of the Red Hat Enterprise Linux 4 Product Family - Revision 4b - 02/2005   | RH0001067-<br>RH0001095                                      | C          |        |         |           |          |      |           |
| PX 223                 | Red Hat Enterprise Linux The Corporate Linux standard - 01/2005  | RH0001133-<br>RH0001136                                      | C          |        |         |           |          |      |           |
| PX 224                 | PowerPoint presentation - Red Hat Enterprise Linux 5 Slide Warehouse - 03/21/2007  | RH0001920-<br>RH0002058 (Portions<br>included in Riveros 31) | B          |        |         |           |          |      |           |
| PX 225                 | Fedora website - Fedora Project last modified 05/31/2007   | RH0002825-<br>RH0002826                                      | B          |        |         |           |          |      |           |
| PX 226                 | Red Hat Enterprise Linux 4.5.0 Reference Guide - © 2007  | RH0003597-<br>RH0004030                                      | B          |        |         |           |          |      |           |
| PX 227                 | Red Hat Enterprise Linux 4 Step by Step Guide - © 2003   | RH0006096-<br>RH0006285                                      | B          |        | X       |           | X        | 4/27 | Zimmerman |
| PX 228                 | <a href="http://www.fvwm.org/features.php">http://www.fvwm.org/features.php</a> - FVWM Features - Printed 10/09/2009 - 08/05/2005  | RH0015013-<br>RH0015014                                      | B          |        |         |           |          |      |           |
| PX 229                 | <a href="http://dir.filewatcher.com/d/Other/src/X11/Window%20Managers/fvwm-1.24r-11.src.rpm.340255.html">http://dir.filewatcher.com/d/Other/src/X11/Window%20Managers/fvwm-1.24r-11.src.rpm.340255.html</a> - File Watcher fvwm Feeble (Fine?) Virtual Window Manager - Printed 10/09/2009 | RH0015015  | B          |        |         |           |          |      |           |
| PX 230                 | <a href="http://www.fvwm.org/documentation/faq/">http://www.fvwm.org/documentation/faq/</a> - FVWM FAQ - Printed 10/09/2009 - 01/28/2009   | RH0015016-<br>RH0015067                                      | B          |        |         |           |          |      |           |
| PX 231                 | <a href="http://www.redhat.com/about/companyprofile/history/">http://www.redhat.com/about/companyprofile/history/</a> - Red Hat History - Printed 10/09/2009   | RH0015068-<br>RH0015083                                      | B          |        |         |           |          |      |           |
| PX 232                 | <a href="http://marc.info/?1=redhat-announce&amp;m=87602642419170&amp;w=2">http://marc.info/?1=redhat-announce&amp;m=87602642419170&amp;w=2</a> - Red Hat's TriTeal CDE (commercial desktop environment) for Linux - Printed 10/09/2009 - 05/29/1997                                       | RH0015084-<br>RH0015086                                      | B          |        |         |           |          |      |           |

\*\* Categories: (A) - Will Use; (B) - May Use; (C) Probably Won't Use

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| Plaintiffs'<br>Ex. No. | Document Description  | Bates No./ Dep. Exh.<br>No./ Docket Index No. | Category** | Marked | Offered | Objection | Admitted | Date | Witness |
|------------------------|---|---|------------|--------|---------|-----------|----------|------|---------|
| PX 233                 | <a href="http://www.redhat.com/about/presscenter/1997/press_jul2197.html">http://www.redhat.com/about/presscenter/1997/press_jul2197.html</a> - Stable and Secure Red Hat Linux 4.2 Operating System Now Shipping - Printed 10/09/2009 - 05/29/1997 | RH0015087-<br>RH0015088                       | B          |        |         |           |          |      |         |
| PX 234                 | Exhibit B - Firestar Software Inc. v. Red Hat - Affidavit of Robert J. Bertoldi Regarding Ownership of Intellectual Property - 06/06/2008   | RHNO026289-<br>RHNO026292                     | C          |        |         |           |          |      |         |
| PX 235                 | Novell Technical White Paper Enterprise Linux - x86 Virtualization Software Technology: A Competitive Analysis - 06/2008  | NV0001945-<br>NV0001978                       | B          |        |         |           |          |      |         |
| PX 236                 | Red Hat, Inc. Form 10-K - year ended 02/28/2007 - 04/30/2007  | RH0000548-<br>RH0000651                       | B          |        |         |           |          |      |         |
| PX 237                 | Red Hat Earnings Estimates - Fiscal Year Ending: Feb. - Last Changed: 12/15/2008 - © 2006   | RH0000806-<br>RH0000807                       | B          |        |         |           |          |      |         |
| PX 238                 | Settlement Agreement between Red Hat, Inc., DataTern, Inc., and Amphion Innovations PLC dated 06/06/2008  | RHNO026259-<br>RHNO026271                     | C          |        |         |           |          |      |         |
| PX 239                 | Settlement Agreement between Red Hat, Inc., DataTern, Inc., and Amphion Innovations PLC dated 06/06/2008  | RHNO026272-<br>RHNO026284                     | C          |        |         |           |          |      |         |
| PX 240                 | Exhibit A - Firestar Software Inc. v. Red Hat - Affidavit of Joseph R. Flicek Regarding Ownership of Intellectual Property - 06/06/2008   | RHNO026285-<br>RHNO026288                     | C          |        |         |           |          |      |         |
| PX 241                 | Letter from Amy La Valle to Counsel - 10/09/2009  |   | C          |        |         |           |          |      |         |
| PX 242                 | Novell 2004 Annual Report - year ended 10/31/2004 - 01/31/2005  |   | C          |        |         |           |          |      |         |
| PX 243                 | Novell 2005 Annual Report - year ended 10/31/2005 - 01/09/2006  |   | C          |        |         |           |          |      |         |
| PX 244                 | Novell 2006 Annual Report - year ended 10/31/2006 - 05/25/2007  |   | C          |        |         |           |          |      |         |
| PX 245                 | Red Hat 2005 Annual Report - year ended 02/28/2005 - 05/16/2005   |   | B          |        |         |           |          |      |         |
| PX 246                 | Red Hat 2006 Annual Report - year ended 02/28/2006 - 05/12/2006   |   | B          |        |         |           |          |      |         |
| PX 247                 | License and Settlement Agreement between Xerox and Central Point Software - 06/13/1994, Signed 07/19/1994   | XP 002662-XP 002675                           | C          |        | X       |           | X        | 4/27 | Gemini  |
| PX 248                 | First Amendment to License Agreement between Hewlett-Packard Company and Xerox Corporation - 03/17/2000, Signed 03/05/2001  | XP 002717-XP 002719                           | C          |        |         |           |          |      |         |

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| Plaintiffs'<br>Ex. No. | Document Description  | Bates No./ Dep. Exh.<br>No./ Docket Index No. | Category** | Marked | Offered | Objection | Admitted | Date | Witness |
|------------------------|---|---|------------|--------|---------|-----------|----------|------|---------|
| PX 249                 | License Agreement between Hewlett Packard and Xerox - 03/17/2000                                    | XP 002720-XP 002740                           | C          |        |         |           |          |      |         |
| PX 250                 | Agreement between Xerox and Palo Alto Research Center (PARC) - 01/01/2002, Signed 01/04/2002        | XP 002880-XP 002934                           | C          |        |         |           |          |      |         |
| PX 251                 | Amendment No. 1 between Xerox and Palo Alto Research Center (PARC) - 02/27/2002, Signed 02/28/2002  | XP 002935-XP 002936                           | C          |        |         |           |          |      |         |
| PX 252                 | Xerox PARC IP Agreements Appendix Change Summary and Detail - Rev. 1 - Amendment 2                  | XP 002937-XP 002963                           | C          |        |         |           |          |      |         |
| PX 253                 | License Agreement between Xerox and ScanSoft - 12/02/1998, Signed 12/10/1998                        | XP 003150-XP 003160                           | C          |        |         |           |          |      |         |
| PX 254                 | Guarantee and Security Agreement between Xerox and JP Morgan Chase Bank - 06/25/2003                | XP 003947-XP 004040                           | C          |        |         |           |          |      |         |
| PX 255                 | Release of Lien in Patents by JP Morgan Chase Bank in favor of Xerox - 03/30/2005                   | XP 004041-XP 004044                           | C          |        |         |           |          |      |         |
| PX 256                 | License Agreement between Canon and Xerox - 03/30/2001, Signed 11/16/2005                           | XP 004765-XP 004787                           | C          |        |         |           |          |      |         |
| PX 257                 | Translation of Business Transfer Contract Document between Fujitsu and Fuji Xerox - 12/26/2002      | XP 004788-XP 004839                           | C          |        |         |           |          |      |         |
| PX 258                 | Patent Cross License Agreement between IBM And Xerox - 09/30/2004, Signed 09/28/2004                | XP 004840-XP 004890                           | C          |        |         |           |          |      |         |
| PX 259                 | License Agreement between Matsushita, Xerox and Fuji Xerox - 12/01/2000, Signed 01/02/2001          | XP 004891-XP 004902                           | C          |        |         |           |          |      |         |
| PX 260                 | License Agreement between Xerox and Microsoft - 12/31/2001, Signed 09/27/2002                       | XP 004903-XP 004925                           | A          |        |         |           |          |      |         |
| PX 261                 | Amendment No. 1 between Research in Motion (RIM) and Xerox - 09/05/2003, Signed 09/10/2003          | XP 004926                                     | C          |        |         |           |          |      |         |
| PX 262                 | Patent License Agreement between Research in Motion (RIM) and Xerox - 08/20/2003, Signed 09/10/2003 | XP 004927-XP 004933                           | C          |        |         |           |          |      |         |

\*\* Categories: (A) - Will Use; (B) - May Use; (C) Probably Won't Use

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| Plaintiffs'<br>Ex. No. | Document Description  | Bates No./ Dep. Exh.<br>No./ Docket Index No. | Category** | Marked | Offered | Objection | Admitted | Date         | Witness           |
|------------------------|---|---|------------|--------|---------|-----------|----------|--------------|-------------------|
| PX 263                 | Spreadsheets listing: Roll-up for 02/2005, FY 2006, FY 2007, FY 2008, Q1 2009, Q2 2009, Q3 2009, 12/2008, Total for various Red Hat Products; Sheet 11 for various Red Hat Products; Red Hat Financial Statement for 02/2005; Red Hat Financial Statement for 02/2006; Red Hat Financial Statement for 02/2007; Red Hat Financial Statement for 02/2008; Red Hat Financial Statement for 05/2008; Red Hat Financial Statement for 08/2008; Red Hat Financial Statement for 11/2008; Red Hat Financial Statement for 12/2008 | RH0014522-<br>RH0014773                       | B          |        |         |           |          |              |                   |
| PX 264                 | Spreadsheets listing: Roll-up for 10/2007, 11/2007, Q4 2008, Q1 2009, Q2 2009, Q3 2009, 12/2008, Total for various Red Hat Products; Red Hat Financial Statement for 10/2007; Red Hat Financial Statement for 11/2007; Red Hat Financial Statement for 02/2008; Red Hat Financial Statement for 05/2008; Red Hat Financial Statement for 08/2008; Red Hat Financial Statement for 11/2008; Red Hat Financial Statement for 12/2008  | RH0014774-<br>RH0015012                       | B          |        |         |           |          |              |                   |
| PX 265                 | <a href="http://ubuntuforums.org/archive/index.php/t-481371.html">http://ubuntuforums.org/archive/index.php/t-481371.html</a> - Ubuntu Forum: Do you use the workspace switcher?? - Printed 12/17/2009 - 06/22/2007-06/24/2007  |   | A          |        | X       | X         |          | 4/27         | Gemini            |
| PX 266                 | <a href="http://docs.fedoraproject.org/desktop-user-guide/en/sn-window-list.html">http://docs.fedoraproject.org/desktop-user-guide/en/sn-window-list.html</a> - Fedora 3.4 The Window List Panel - last updated 05/16/2007 - 2 pages  |   | A          |        | X       |           | X        | 4/27         | Zimmerman         |
| PX 267                 | Spreadsheets listing: Sum of AMT, Financial Years 2006, 2007, 2008, 2009 and Total for openSUSE 10.x, openSUSE 11.x, Other Products and Services, SUSE Linux Enterprise Desktop 10.x, and SUSE Linux Enterprise Server 10.x with detailed financials for products   | NV0016716-<br>NV0016724                       | B          |        |         |           |          |              |                   |
| PX 268                 | Novell Forums Printouts: "Sax2 not getting correct specs for iiyama monitor" dated 04/30/2008 and "Problem with video" dated 05/13/2008 - 4 pages   |   | B          |        |         |           |          |              |                   |
| PX 269                 | <a href="http://www.internetnews.com/software/article.php/3786726">http://www.internetnews.com/software/article.php/3786726</a> - Red Hat Fedora Claims It's the Leader in Linux by Sean Michael Kerner - 3 pages - 11/21/2008  | D.I. 128, Ex. O                               | B          |        | X       |           | X        | 4/28<br>4/28 | Gemini<br>Tiemann |
| PX 270                 | Red Hat 2009 Annual Report - year ended 02/28/2009 - 04/29/2009   |   | B          |        |         |           |          |              |                   |

\*\* Categories: (A) - Will Use; (B) - May Use; (C) Probably Won't Use

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| Plaintiffs'<br>Ex. No. | Document Description   | Bates No./ Dep. Exh.<br>No./ Docket Index No. | Category** | Marked | Offered | Objection | Admitted | Date | Witness |
|------------------------|--|---|------------|--------|---------|-----------|----------|------|---------|
| PX 271                 | <a href="http://en.wikipedia.org/w/index.php?title=Virtual_desktop&amp;oldid=337092567">http://en.wikipedia.org/w/index.php?title=Virtual_desktop&amp;oldid=337092567</a> - revision dated 01/10/2010, 23:56 - Wikipedia "Virtual desktop" - 5 pages   |   | B          |        |         |           |          |      |         |
| PX 272                 | <a href="http://www.linux.com/archive/feature/113779">http://www.linux.com/archive/feature/113779</a> - Linux.com Feature - Linux Desktop: Virtual Desktops - Printed 02/04/2010 - 3 pages - 08/13/2004  |   | B          |        |         |           |          |      |         |
| PX 273                 | <a href="http://en.wikipedia.org/w/index.php?title=Fedora_%28operating_system%29&amp;oldid=336422632">http://en.wikipedia.org/w/index.php?title=Fedora_%28operating_system%29&amp;oldid=336422632</a> - revision dated 01/07/2010, 16:40 - Wikipedia "Fedora (operating system)" - 14 pages  |   | B          |        |         |           |          |      |         |
| PX 274                 | <a href="http://books.google.com/books?id=cTgEAAAAMBAJ&amp;printsec=frontcover&amp;source=gbs_navlinks_s#v=onepage&amp;q=&amp;f=false">http://books.google.com/books?id=cTgEAAAAMBAJ&amp;printsec=frontcover&amp;source=gbs_navlinks_s#v=onepage&amp;q=&amp;f=false</a> - Info World, 10/31 1994 at p. 24  | D.I. 120 Ex. G                                | B          |        |         |           |          |      |         |
| PX 275                 | <a href="http://books.google.com/books?id=kTgEAAAAMBAJ&amp;printsec=frontcover&amp;source=gbs_navlinks_s#v=onepage&amp;q=&amp;f=false">http://books.google.com/books?id=kTgEAAAAMBAJ&amp;printsec=frontcover&amp;source=gbs_navlinks_s#v=onepage&amp;q=&amp;f=false</a> - Info World, 07/18/1994 at p. 19  | D.I. 120 Ex. H                                | B          |        |         |           |          |      |         |
| PX 276                 | <a href="http://localtechwire.com/business/local_tech_wire/news/blogpost/6236669/">http://localtechwire.com/business/local_tech_wire/news/blogpost/6236669/</a> - Open source, free software and Linux - How does Red Hat make money? - 10/19/2009 - 3 pages   |   | B          |        | X       |           | X        | 4/27 | Gemini  |
| PX 277                 | <a href="http://files.opensuse.org/opensuse/en/e/ec/Survey_openSUSE110.pdf">http://files.opensuse.org/opensuse/en/e/ec/Survey_openSUSE110.pdf</a> - openSUSE 11.0 Survey - 10 pages  |   | B          |        |         |           |          |      |         |
| PX 278                 | <a href="http://www.library.idsc.gov.eg/GUI/Globals/Upload//BULLETIN_ATTACHMENT/101/e-files/communications%20and%20computers/twenty%20features.pdf">http://www.library.idsc.gov.eg/GUI/Globals/Upload//BULLETIN_ATTACHMENT/101/e-files/communications%20and%20computers/twenty%20features.pdf</a> - 20 Features Windows Ought to Have {And How to Get Them} by Robert Strohmeyer, PC World, 07378939, Aug. 2008, Vol. 26, Issue 8 - 15 pages |   | B          |        | X       | X         |          | 4/27 | Gemini  |
| PX 279                 | <a href="http://news.cnet.com/8301-13880_3-9902034-68.html">http://news.cnet.com/8301-13880_3-9902034-68.html</a> - Get more out of Ubuntu's virtual desktops by Dennis O'Reilly - 3 pages - 03/25/2008  |   | B          |        | X       | X         |          | 4/27 | Gemini  |
| PX 280                 | <a href="http://www.linuxtoday.com/mailprint.php3?action=pv&amp;ltsn=2010-02-24-029-35-PR-MS-SV">http://www.linuxtoday.com/mailprint.php3?action=pv&amp;ltsn=2010-02-24-029-35-PR-MS-SV</a> - Microsoft Plays Catch-up -- Sub-\$70 Linux Virtual Desktop - 2 pages - 02/24/2010  |   | B          |        |         |           |          |      |         |

\*\* Categories: (A) - Will Use; (B) - May Use; (C) Probably Won't Use

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| Plaintiffs' Ex. No. | Document Description  | Bates No./ Dep. Exh. No./ Docket Index No. | Category** | Marked | Offered | Objection | Admitted | Date | Witness |
|---------------------|---|--|------------|--------|---------|-----------|----------|------|---------|
| PX 281              | <a href="http://www.addictivetips.com/ubuntu-linux-tips/add-switch-and-change-workspace-in-ubuntu-linux/">http://www.addictivetips.com/ubuntu-linux-tips/add-switch-and-change-workspace-in-ubuntu-linux/</a> - Add, Switch, And Change Workspace In Ubuntu Linux by Aun - 4 pages - 07/28/2009                           |  | B          |        |         |           |          |      |         |
| PX 282              | <a href="http://blogs.zdnet.com/open-source/?p=2428">http://blogs.zdnet.com/open-source/?p=2428</a> - Fedora 9 ships, openSuse 11 due June 19 by Paula Rooney - 2 pages - 05/14/2008  |  | B          |        |         |           |          |      |         |
| PX 283              | <a href="http://fedoraproject.org/wiki/Statistics">http://fedoraproject.org/wiki/Statistics</a> - Fedora Project Statistics - 6 pages - last modified on 03/02/2010   | D.I. 173 Ex. C                             | B          |        | X       |           | X        | 4/28 | Gemini  |
| PX 284              | <a href="http://arstechnica.com/open-source/news/2007/11/fedora-8-sees-strong-adoption-in-first-week.ars">http://arstechnica.com/open-source/news/2007/11/fedora-8-sees-strong-adoption-in-first-week.ars</a> - Fedora 8 sees strong adoption in first week by Ryan Paul - 1 page - 11/12/2007                            |  | B          |        |         |           |          |      |         |
| PX 285              | <a href="http://mozillquest.com/Linux4Windows/Linux4Windows08/Linux4Windows_04_08_Story-01.html">http://mozillquest.com/Linux4Windows/Linux4Windows08/Linux4Windows_04_08_Story-01.html</a> - The Linux (Multiple) Virtual Desktops Unleashed - Part I: Overview by Mike Angelo - 19 pages - 05/07/2004                   |  | B          |        | X       | X         |          | 4/27 | Gemini  |
| PX 286              | <a href="http://it.toolbox.com/blogs/locutus/are-multiple-desktops-really-useful-13630">http://it.toolbox.com/blogs/locutus/are-multiple-desktops-really-useful-13630</a> - Are multiple desktops really useful by Locutus - 7 pages - 12/26/2006   |  | B          |        | X       | X         |          | 4/27 | Gemini  |
| PX 287              | <a href="http://it.tmcnet.com/news/2010/02/11/4617301.htm">http://it.tmcnet.com/news/2010/02/11/4617301.htm</a> - Microsoft's MultiPoint Threat -- Multiseat Linux Desktop Virtualization - 2 pages - 02/11/2010  |  | B          |        |         |           |          |      |         |
| PX 288              | <a href="http://zonker.opensuse.org/2008/06/03/the-most-popular-linux-desktop-the-numbers-might-surprise-you/">http://zonker.opensuse.org/2008/06/03/the-most-popular-linux-desktop-the-numbers-might-surprise-you/</a> - The most popular Linux desktop? The numbers might surprise you by Zonker - 6 pages - 06/03/2008 |  | B          |        |         |           |          |      |         |
| PX 289              | <a href="http://news.opensuse.org/2010/02/07/opensuse-survey-2010-participate-now/">http://news.opensuse.org/2010/02/07/opensuse-survey-2010-participate-now/</a> - openSUSE Survey 2010 – Participate now by Michael Löffler - 5 pages - 02/07/2010 with comments through 02/23/2010                                     |  | B          |        |         |           |          |      |         |
| PX 290              | <a href="http://en.opensuse.org/Statistics">http://en.opensuse.org/Statistics</a> - Statistics - openSUSE - 11 pages - last modified 03/22/2010   |  | B          |        | X       |           | X        | 4/28 | Gemini  |
| PX 291              | <a href="http://fedoraproject.org/wiki/F8_User_Guide_-_Tour_of_GNOME">http://fedoraproject.org/wiki/F8_User_Guide_-_Tour_of_GNOME</a> - F8 User Guide - Tour of GNOME - 4 pages - last modified 12/17/2008  |  | B          |        |         |           |          |      |         |

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| Plaintiffs'<br>Ex. No. | Document Description   | Bates No./ Dep. Exh.<br>No./ Docket Index No. | Category** | Marked | Offered | Objection | Admitted | Date | Witness |
|------------------------|--|---|------------|--------|---------|-----------|----------|------|---------|
| PX 292                 | <a href="http://techpubs.sgi.com/library/tpl/cgi-bin/getdoc.cgi?coll=0530&amp;db=relnotes&amp;fname=/usr/relnotes/desktop_eoe">http://techpubs.sgi.com/library/tpl/cgi-bin/getdoc.cgi?coll=0530&amp;db=relnotes&amp;fname=/usr/relnotes/desktop_eoe</a> - SGI Techpubs Library: IRIX 5.3 Product Release Notes/Information - desktop_eoe - 30 pages - printed 03/09/2010 | D.I. 159 Ex. G                                | B          |        | X       | X         |          | 4/27 | Gemini  |
| PX 293                 | <a href="http://techpubs.sgi.com/library/tpl/cgi-bin/getdoc.cgi?coll=0650&amp;db=FAQ&amp;fname=/usr/FAQ/graphics.txt">http://techpubs.sgi.com/library/tpl/cgi-bin/getdoc.cgi?coll=0650&amp;db=FAQ&amp;fname=/usr/FAQ/graphics.txt</a> - SGI: IRIX 6.5 FAQs (Frequently Asked Questions) - 35 pages - last modified 10/20/1999  | D.I. 159 Ex. H                                | B          |        |         |           |          |      |         |
| PX 294                 | <a href="http://fedoraproject.org/wiki/Distribution/OnlineVendors#Northern_America.5B1.5D">http://fedoraproject.org/wiki/Distribution/OnlineVendors#Northern_America.5B1.5D</a> - Fedora Distribution/Online Vendors - 9 pages - last modified 03/26/2010  |   | B          |        |         |           |          |      |         |
| PX 295                 | Second Supplemental Expert Witness Report of Joseph Gemini Pursuant to Rule 26(a)(2)(B) with attachments - 29 pages - 03/26/2010   |   | A          |        | X       |           | X        | 4/28 | Gemini  |
| PX 296                 | <a href="https://www.redhat.com/f/pdf/summit/OSS-Summit-NoCIO.pdf">https://www.redhat.com/f/pdf/summit/OSS-Summit-NoCIO.pdf</a> - Defining Open Source by Michael Tiemann - 35 pages - 06/02/2005  |   | B          |        |         |           |          |      |         |
| PX 297                 | <a href="http://www.theregister.co.uk/2008/12/22/redhat_3q_fiscal2009_financials/">http://www.theregister.co.uk/2008/12/22/redhat_3q_fiscal2009_financials/</a> - Red Hat shakes off economic meltdown by Timothy Prickett Morgan - 3 pages - 12/22/2008   |   | B          |        | X       | X         |          | 4/28 | Gemini  |
| PX 298                 | Screen Shot: Server Location for APAC Red Hat - 1 page   |   | B          |        |         |           |          |      |         |
| PX 299                 | Screen Shot: Server Location for Europe Red Hat - 1 page   |   | B          |        |         |           |          |      |         |
| PX 300                 | Screen Shot: Server Location for Fedora Project - 1 page   |   | B          |        |         |           |          |      |         |
| PX 301                 | Screen Shot: Server Location for Novell - 1 page   |   | B          |        |         |           |          |      |         |
| PX 302                 | Screen Shot: Server Location for Fedora Download - 1 page  |   | B          |        |         |           |          |      |         |
| PX 303                 | Screen Shot: Server Location for Red Hat Download - 1 page   |   | B          |        |         |           |          |      |         |
| PX 304                 | Screen Shot: Server Location for openSuse Download - 1 page  |   | B          |        |         |           |          |      |         |
| PX 305                 | Screen Shot: Server Location for openSuse - 1 page   |   | B          |        |         |           |          |      |         |
| PX 306                 | Screen Shot: Server Location for Red Hat - 1 page  |   | B          |        |         |           |          |      |         |

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| Plaintiffs'<br>Ex. No. | Document Description  | Bates No./ Dep. Exh.<br>No./ Docket Index No. | Category** | Marked | Offered | Objection | Admitted | Date | Witness |
|------------------------|---|---|------------|--------|---------|-----------|----------|------|---------|
| PX 307                 | Declaration of Myron Zimmerman - 5 pages - 04/15/2010   |   | B          |        |         |           |          |      |         |
| PX 308                 | <a href="http://news.cnet.com/Novell-hopes-its-next-desktop-will-leapfrog-Windows/2100-1016_3-6048016.html">http://news.cnet.com/Novell-hopes-its-next-desktop-will-leapfrog-Windows/2100-1016_3-6048016.html</a> - Novell hopes its next desktop will leapfrog Windows by Ingrid Marson - 2 pages - 03/09/2006 |   | B          |        |         |           |          |      |         |
| PX 309                 | <a href="http://www.betterdesktop.org/wiki/index.php?title=Main">http://www.betterdesktop.org/wiki/index.php?title=Main</a> - Main page for BetterDesktop.org - 2 pages - last modified 11/13/2006  |   | B          |        |         |           |          |      |         |
| PX 310                 | <a href="http://www.betterdesktop.org/welcome/reports/report-move-window-to-a-different-desktop.html">http://www.betterdesktop.org/welcome/reports/report-move-window-to-a-different-desktop.html</a> - Move a window to a different desktop - 2 pages  |   | B          |        |         |           |          |      |         |
| PX 311                 | <a href="http://www.masshightech.com/stories/2009/11/30/daily46-Red-Hat-innovation-flows-from-Westford.html">http://www.masshightech.com/stories/2009/11/30/daily46-Red-Hat-innovation-flows-from-Westford.html</a> - Red Hat innovation flows from Westford by Rodney H. Brown - 2 pages - 12/03/2009          |   | B          |        |         |           |          |      |         |
| PX 312                 | <a href="http://www.redhat.com/magazine/022aug06/features/fedora_rhel_4/">http://www.redhat.com/magazine/022aug06/features/fedora_rhel_4/</a> - The Fedora Project and Red Hat Enterprise Linux Part 4 of 4: Red Hat Enterprise Linux Development by Tim Burke - 4 pages - © 2010                               |   | B          |        | X       |           | X        | 4/27 | Gemini  |
| PX 313                 | <a href="https://redhat.ats.hrsmart.com/cgi-bin/a/highlightjob.cgi?jobid=4940&amp;site_id=148">https://redhat.ats.hrsmart.com/cgi-bin/a/highlightjob.cgi?jobid=4940&amp;site_id=148</a> - Fedora Project Leader job posting - 3 pages   |   | B          |        |         |           |          |      |         |
| PX 314                 | <a href="http://www.betterdesktop.org/wiki/index.php?title=Data">http://www.betterdesktop.org/wiki/index.php?title=Data</a> - Data from Better Desktop - 17 pages - last modified 12/15/2006  |   | B          |        |         |           |          |      |         |
| PX 315                 | <b>VIDEO:</b><br><a href="http://betterdesktop.org/wiki/video/move_window_to_a_different_desktop/Subject73.ogg">http://betterdesktop.org/wiki/video/move_window_to_a_different_desktop/Subject73.ogg</a> - Video for "Task: Move a window to a different desktop" Subject 73 - 34 seconds                       |   | B          |        |         |           |          |      |         |
| PX 316                 | Apple, Inc. Form 10-K - year ended 09/27/2008 - 11/05/2008 - 102 pages  |   | B          |        | X       |           | X        | 4/28 | Gemini  |
| PX 317                 | Janicke, Paul M. and LiLan Ren, "Who Wins Patent Infringement Cases?," AIPLA Quarterly Journal, Winter 2006, Volume 34, Number 1 - 43 pages   |   | B          |        | X       | X         |          | 4/28 | Gemini  |

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| Plaintiffs'<br>Ex. No. | Document Description   | Bates No./ Dep. Exh.<br>No./ Docket Index No. | Category** | Marked | Offered | Objection | Admitted | Date | Witness |
|------------------------|--|---|------------|--------|---------|-----------|----------|------|---------|
| PX 318                 | Sherry, Edward F. and David J. Teece, "Royalties, evolving patent rights, and the value of innovation," Elsevier Research Policy 33, (2004) 179-191, Institute of Management, Innovation and Organization, Haas School of Business, accepted 05/12/2003 - 13 pages |   | B          |        |         |           |          |      |         |
| PX 319                 | <a href="http://docs.fedoraproject.org/release-notes/f7/en_US/sn-OverView.html">http://docs.fedoraproject.org/release-notes/f7/en_US/sn-OverView.html</a> - Fedora Release Highlights - 3 pages - last modified 05/31/2007   |   | B          |        |         |           |          |      |         |
| PX 320                 | <a href="http://fedoraproject.org/wiki/Desktop/FastUserSwitching">http://fedoraproject.org/wiki/Desktop/FastUserSwitching</a> - Fedora Desktop Fast User Switching - 4 pages - last modified 06/05/2008  |   | B          |        |         |           |          |      |         |
| PX 321                 | Updated Second Supplemental Expert Witness Report of Joseph Gemini Pursuant to Rule 26(a)(2)(B) - 6 pages - 04/21/2010   |   | B          |        |         |           |          |      |         |
| PX 321A                | Schedule 1 to Updated Second Supplemental Expert Witness Report of Joseph Gemini Pursuant to Rule 26(a)(2)(B) - 1 page - 04/21/2010  |   | B          |        | X       |           | X        | 4/28 | Gemini  |
| PX 321B                | Schedule 2 to Updated Second Supplemental Expert Witness Report of Joseph Gemini Pursuant to Rule 26(a)(2)(B) - 1 page - 04/21/2010  |   | B          |        | X       |           | X        | 4/28 | Gemini  |
| PX 322                 | <a href="http://fedoraproject.org/wiki/Docs/Drafts/DesktopUserGuide/KdeDesktop">http://fedoraproject.org/wiki/Docs/Drafts/DesktopUserGuide/KdeDesktop</a> - F8 User Guide - Tour of KDE - 2 pages - last modified 12/17/2008                                       |   | B          |        |         |           |          |      |         |
| PX 323                 | <a href="http://fedoraproject.org/wiki/F8_User_Guide_-_Tour_of_GNOME_-_F8">http://fedoraproject.org/wiki/F8_User_Guide_-_Tour_of_GNOME_-_F8</a> User Guide - Tour of GNOME - 4 pages - last modified 12/17/2008  |   | B          |        |         |           |          |      |         |
| PX 324                 | <a href="http://fedoraproject.org/wiki/User_Guide/9/KdeDesktop">http://fedoraproject.org/wiki/User_Guide/9/KdeDesktop</a> - User Guide/9/KdeDesktop - Tour of the KDE Desktop - 3 pages - last modified 06/03/2008   |   | B          |        |         |           |          |      |         |
| PX 325                 | <a href="http://fedoraproject.org/wiki/User_Guide/9/Tour">http://fedoraproject.org/wiki/User_Guide/9/Tour</a> - User Guide/9/Tour - Tour of the GNOME Desktop - 5 pages - last modified 06/02/2008   |   | B          |        |         |           |          |      |         |
| PX 326                 | <a href="http://www.redhat.com/licenses/gpl.pdf">http://www.redhat.com/licenses/gpl.pdf</a> - GNU General Public License - Version 2 - 06/1991 - 8 pages   |   | B          |        | X       |           | X        | 4/28 | Tiemann |

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| Defendants'<br>Ex. No. | Document Description  | Bates No./ Dep. Exh.<br>No./ Docket Index No.       | Category** | Marked | Offered | Objection | Admitted | Date | Witness |
|------------------------|---|---|------------|--------|---------|-----------|----------|------|---------|
| DX-240                 | An Overview of the Red Hat Enterprise Linux 4 Product Family  | RH0001067-<br>RH0001095                             | C          |        | X       |           | X        | 4/28 | Riveros |
| DX-271                 | Red Hat Enterprise Linux 5 General Overview   | RH0001574-<br>RH0001589;<br>RH0008812-<br>RH0008827 | C          |        | X       |           | X        | 4/28 | Riveros |
| DX-773                 | Xerox/SGI License Agreement   | XP 003196-XP 003200                                 | A          |        | X       |           | X        | 4/27 | Gemini  |
| DX-778                 | Xerox/Microsoft License Agreement   | XP 004903-XP 004925                                 | B          |        | X       |           | X        | 4/28 | Gemini  |
| DX-808                 | Exhibit 9 to Putnam Report, Calculation of effective royalty rate from the Apple-IPI agreement  |   | B          |        | X       |           | X        | 4/27 | Gemini  |
| DX-809                 | Exhibit 10 to Putnam Report, Conversion of observed royalty rates on add-on utilities to royalty rates on operating system offerings                              |   | B          |        | X       |           | X        | 4/28 | Gemini  |
| DX-926                 | <a href="http://en.wikipedia.org/wiki/PC_Tools_(Central_Point_Software)">http://en.wikipedia.org/wiki/PC_Tools_(Central_Point_Software)</a> , Supp. Putnam Report | RHNO0026464-<br>RHNO0026465                         | B          |        | X       |           | X        | 4/27 | Gemini  |

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing **PLAINTIFFS' SUBMISSION OF TRIAL EXHIBITS ADMITTED APRIL 28, 2010** was filed with the Clerk of the Court on April 28, 2010, using the CM/ECF system, which will send notification of such filing to the following at their email address on file with the Court:

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